

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 04, 2004**

DIVISION TWO

B166296      Nevarez, et al.                      (Not for Publication)  
                 v.  
                 Chase Manhattan Bank, U.S.A., N.A., et al.

The judgment is affirmed. Chase shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur:    Boren, P.J.  
                      Nott, J.

B176813      Felts                                      (Not for Publication)  
                 v.  
                 Superior Court, Los Angeles County  
                 (The People, r.p.i.)

The petition is granted, the order to show cause is discharged, and the stay heretofore issued is dissolved. Let a peremptory writ of mandate issue directing the Superior Court to set aside and vacate its order of April 23, 2004, finding a prima facie showing of probable cause to believe petitioner is an SVP, and to enter a new order, dismissing the SVP petition for lack of probable cause. Petitioner to recover his costs.

Doi Todd, J.

We concur:    Boren, P.J.  
                      Ashmann-Gerst, J.

November 04, 2004 (Continued)

## DIVISION TWO (Continued)

[illegible]

The judgment is affirmed.

Ashmann-Gerst, J.

We concur:   Nott, Acting P.J.  
Doi Todd, J.

B169504      People  
v.  
Stone

Filed order denying petition for rehearing.

DIVISION THREE

B164993      People      (Not for Publication)  
v.  
Jason A. Macias

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

November 04, 2004 (Continued)

### DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION FIVE

B176376      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Samoset G.

The order terminating parental rights is reversed. The juvenile court is to insure that the appropriate tribes and administrative officials have been notified of these proceedings as required by the Indian Child Welfare Act. Upon proper proof of notification as required by the Indian Child Welfare Act, if no response or hearing request is received from the recipients of the notice, the trial court is to reinstate the parental terminations rights order. Pursuant to the parties' stipulation, the remittitur is to issue forthwith.

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

DIVISION FIVE (Continued)

B167719      James Johnson                      (Not for Publication)  
                 v.  
                 California-Pacific Annual Conference

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                 Mosk, J.

B172906      Jeffrey Conaway et al.                      (Not for Publication)  
                 v.  
                 Mandalay Resort Group

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                 Mosk, J.

B173071      Christa Hawkins                              (Not for Publication)  
                 v.  
                 Lauriann Wright

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur:    Grignon, J.  
                 Armstrong, J.

November 04, 2004 (Continued)

DIVISION FIVE (Continued)

B169366 People (Not for Publication)  
v.  
Isaac Wilson

The matter is remanded for resentencing as to whether consecutive sentences should be imposed. The amended abstract of judgment shall reflect the five-year consecutive sentence imposed under section 667, subdivision (a) (1). The judgment is otherwise affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                     Grignon, J.

## DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B165335 People v. Armstead  
B168113 People v. Salvador A.  
B168406 People v. Ayala  
B169384 People v. Brooks  
B169742 People v. Menjivar  
B169761 People v. Smith  
B170336 People v. McGee  
B170943 People v. Olivares  
B170954 People v. Weatherford  
B171377 People v. Alcala  
B171433 People v. Sotelo  
B171448 People v. Sedillo  
B172040 People v. Pamilton  
B172641 People v. Hudson  
B174788 People v. Michael S.

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B170274     People  
              v.  
              Rabb

Merits:  
Argued by John Lanahan for appellant and by Yun Lee, Deputy Attorney General for respondent. Cause submitted.

B160750     People  
              v.  
              Ortega

Merits:  
Argued by Steven Schorr for appellant and by William Davis, Deputy Attorney General for respondent. Cause submitted.

B168040     People  
              v.  
              Salazar

Merits:  
Argued by Dan Mrotek for appellant and by Elaine Tumonis, Deputy Attorney General for respondent. Cause submitted.

B145600     People  
              v.  
              Tomlin

Merits:  
Argued by Robert Ramsey for appellant and by Tita Nguyen, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B156594     Cizraki  
              v.  
              Phillis et al.

Merits:  
Argued by William Lively for appellants and by Duane Westrup for  
respondent. Cause submitted.

B167829     Cohen  
              v.  
              Bank of America  
              Coast Sign

Merits:  
Argued by Ronald Kaplan for appellant and by Stephen Norris and John  
Duffy for respondents. Cause submitted.

Court recessed at 10:51 a.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy  
Clerk.

B170399     Frankel et al.  
              v.  
              Cedars-Sanai

Merits:  
Argued by Nathaniel Friedman for appellants and by Laura Boudreau for  
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B170384     Weiss  
              v.  
              Occidental College et al.

Merits:  
Argued by Geoffrey Brown for appellants and by David Hoffman for  
respondent. Cause submitted.

B169696     Magteec Investment  
              v.  
              Ly

Merits:  
Argued by Winfield Wilson for appellant and by John Chang for  
respondent. Cause submitted.

B168112     Hubner  
              v.  
              Hubner

Merits:  
Argued by Ray McCullough for appellant and by Judith Shapiro for  
respondent. Cause submitted.

B170495     Vom Dorp  
              v.  
              Vom Dorp

Merits:  
Argued by Charles Lazaro for appellant and by Jeffrey Doeringer for  
respondent. Cause submitted.

Court adjourned at 3:00 p.m.